

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 030413PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/005530	International filing date (day/month/year) 19.04.2004	Priority date (day/month/year) 07.07.2003
International Patent Classification (IPC) or national classification and IPC G11B20/12 , 20/10		
Applicant PIONEER CORPORATION		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	6	YES
	Claims	1-5, 7-18	NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Claims 1 to 5			
Document 1: JP 08-273162 A (Ricoh Co., Ltd.), 18 October 1996, paragraphs [0012], [0014], fig. 2, 4			
Document 1 discloses a feature wherein a region for recording data, a PMA region for recording defect position information, and a lead-in region for recording TOC and motion information when all files to be written have been written to disk are provided on an optical disk.			
Document 2: JP 03-222154 A (Canon Inc.), 1 October 1991, entire text, all drawings			
Document 2 discloses the provision of alternate sectors on a recording medium, and the indication of a replacement location address using a relative number with the top address of an alternate area as a reference.			
Further, the specified single point of the present application is a single point which is established, and thus, the specified single point of the present application corresponds to the top address of an alternate area disclosed in document 2.			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

Each of documents 1 and 2 discloses technical features pertaining to disk defect processing, and thus, a person skilled in the art could easily conceive of combining the features disclosed in documents 1 and 2, which belong to the same technical field.

Further, when compared to the inventions disclosed in documents 1 and 2, no exceptional effect is recognized as resulting from the feature wherein an original address for saving is designated using an offset address, but rather, said feature is merely a design feature fittingly determined by a person skilled in the art.

Claims 7 to 12

Document 3: JP 05-205447 A (Pioneer Electronic Corp.),
13 August 1993, paragraphs [0007], [0008],
fig. 3(2)

Document 3 discloses a feature wherein provisional TOC information recorded in a PMA is recorded in a lead-in area when finalization is indicated.

Each of documents 1 to 3 discloses technical features pertaining to disk devices, and thus, no exceptional feature is recognized in the combining of the features disclosed in documents 1 to 3, which belong to the same technical field.

Claims 13 to 18

A person skilled in the art would consider additionally applying the inventions pertaining to a recording medium and a recording device disclosed in documents 1 and 2 to a recording method, reproduction device, reproduction method, computer program, and data

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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structure as a matter of course, and such application is not recognized as constituting an exceptional feature.

Claim 6

Document 2 defines the general state of the art in this technical field, and none of the documents cited in the international search report discloses or suggests a feature wherein a first offset address is an address overlapping a plurality of spare areas and having just one designated single point among the plurality of spare areas as a reference.